

1 KATHLEEN MAYLIN (SBN (SBN 155371)
2 CARA CHING-SENAHA (SBN 298467)
3 JACKSON LEWIS LLP
4 199 Fremont Street, 10th Floor
5 San Francisco, California 94105
6 Telephone: (415) 394-9400
7 Facsimile: (415) 394-9401

8 Attorneys for Defendants
9 NATIONAL RAILROAD PASSENGER
10 CORPORATION dba AMTRAK and JOE DEELY

11 PAMELA Y. PRICE (SBN 107713)
12 RENEE SANCHEZ (SBN 242122)
13 PRICE AND ASSOCIATES
14 The Latham Square Building
15 1611 Telegraph Avenue, Ste 1450
16 Oakland, CA 94612
17 Telephone: (510) 452-0292
18 Facsimile: (510) 452-5625

19 Attorneys for Plaintiff
20 JOHN EARL CAMPBELL

21 UNITED STATES DISTRICT COURT
22 NORTHERN DISTRICT OF CALIFORNIA

23 JOHN EARL CAMPBELL,
24 Plaintiff,

25 v.

26 NATIONAL RAILROAD PASSENGER
27 CORPORATION dba AMTRAK, JOE DEELY
28 and DOES 1 through 15 inclusive,
Defendants.

Case No. C05-05434 MJJ

**STIPULATION TO EXTEND
DISCOVERY CUTOFF, FOR
DEFENDANT NATIONAL RAILROAD
PASSENGER CORPORATION TO
RESPOND TO PLAINTIFF JOHN
EARL CAMPBELL'S WRITTEN
DISCOVERY, AND FOR PLAINTIFF
TO BRING MOTION TO COMPEL
BASED ON WRITTEN RESPONSES
TO SAME**

Plaintiff John Earl Campbell and Defendants National Railroad Passenger Corporation (aka "Amtrak") and Joe Deely (collectively referred to herein as "the Parties") hereby stipulate to the following extension of time for the parties to complete all discovery, for Defendant

1 Amtrak to respond to Plaintiff's written discovery, and for Plaintiff to bring a motion to compel,
2 based upon Amtrak's responses to written discovery, as follows:

3 1. The Parties have ongoing discovery disputes.

4 2. On January 30, 2007, Plaintiff's lead counsel canceled several scheduled
5 depositions until further notice because she was in trial.

6 3. Defendants' counsel has requested, and Plaintiff's counsel has agreed, to extend
7 until March 7, 2007 the date by which Defendant Amtrak shall serve responses and objections to
8 the following written discovery to which no responses have yet been served:

9 a. Plaintiff's First Set of Interrogatories, served on December 21, 2006 and
10 originally due on January 21, 2007;

11 b. Plaintiff's First Requests For Admissions to Defendant Amtrak, served on
12 December 22, 2006 and originally due on January 25, 2007;

13 c. Plaintiff's Second Request for Production of Documents, served on
14 December 22, 2006 and originally due on January 25, 2007;

15 d. Plaintiff's Second Requests for Admissions, served on January 9, 2007
16 and originally due on February 12, 2007.

17 4. Plaintiff's counsel anticipates filing at least one Motion to Compel based on
18 Defendants' previous responses to discovery.

19 5. Plaintiff's counsel has requested, and defense counsel has agreed, to the
20 following:

21 a. To reschedule all depositions on mutually agreeable dates as soon as
22 Plaintiff's counsel's trial ends, with Plaintiff's deposition to be taken and
23 completed first. All depositions, except those previously noticed, shall be
24 noticed in accordance with the Federal Rules of Civil Procedure and
25 scheduled to take place no later than March 23, 2007;

26 b. To extend for five weeks, or until March 23, 2007, the cutoff for all fact
27 (nonexpert) discovery to be taken. This applies to all written and
28

deposition discovery (except for experts);


- c. To extend until March 21, 2007 the date by which Plaintiff must file a motion to compel based on Defendant's responses to discovery due March 7th, assuming a motion is warranted and also assuming reasonable meet and confer discussions have taken place;
- d. Extend the date for the parties to designate experts to March 30, 2007, seven (7) days after which the parties shall exchange reports for experts disclosed March 30, 2007;
- e. To extend the date for disclosure of supplemental/rebuttal experts to April 20th, with reports of supplemental or rebuttal experts to be served on the same date (April 20, 2007); and
- f. To extend until May 8, 2007 the date by which all expert discovery must be taken and completed.

6. The Parties further agree that this stipulation shall not affect any other dates already set by the Court in this matter, including but not limited to the trial date already set.

IT IS SO STIPULATED.

Dated: February 9, 2007

PRICE AND ASSOCIATES

By:  for:
PAMELA Y. PRICE
RENEE SANCHEZ
Attorneys for Plaintiff
JOHN EARL CAMPBELL

Date: February 9, 2007

JACKSON LEWIS LLP

By:  for:
KATHLEEN MAYLIN
CARA CHING-SENAHA

Attorneys for Defendants
NATIONAL RAILROAD PASSENGER

CORPORATION dba AMTRAK and JOE
DEELY

IT IS SO ORDERED.

DATED: February _____, 2007

HONORABLE MARTIN JENKINS
United States District Judge

J:\N\National Railroad Passenger Corp (40707)\Campbell (89560)\Pleadings\CMC 020507 stip to extend fact (nonexpert) discovery - revised
020707.doc